

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS**

KEITH J. PAUBEL,

Plaintiff,

v.

J-C AUTO SALES, INC.,

Defendant.

No. 15-cv-123-DRH-DGW

ORDER

Now before the Court is plaintiff's April 26, 2016 motion to voluntarily dismiss Counts III and V of the complaint without prejudice pursuant to Fed. R. Civ. P. 41(a)(2)(Doc. 28). Defendant did not file a response. Accordingly, it is hereby **ORDERED** that Counts III and V of plaintiff's complaint are **DISMISSED without prejudice**.

The Court previously granted plaintiff's motion for summary judgment as to Counts I, II and IV, leaving Counts III and V as the only remaining claims in this action. Therefore, upon dismissal of Counts III and V, the Clerk is **DIRECTED** to enter judgment on Counts I, II and IV and close the case.

IT IS SO ORDERED.

Signed this 3rd day of June, 2016.

Digitally signed by
Judge David R.
Herndon
Date: 2016.06.03
13:30:10 -05'00'

United States District Judge